

### III. REMARKS

Claims 1-35 are pending in this application. By this amendment, claims 1, 7, 13, 16, 22, 26 and 31 have been amended. These amendments are being made to facilitate early allowance of the presently claimed subject matter. No new matter is believed added. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the amendment and the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. 1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, claims 1-35 are rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite. Claims 1, 2, 4-9 and 11-35 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Puri (U.S. 6,064,982), hereafter "Puri." Claims 3 and 10 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Puri.

#### A. REJECTIONS OF CLAIMS 1-35 U.S.C. §112

The Office has asserted that claims 1-35 are indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Office asserts that the claims recite "entity" and "business entity" throughout, making it

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unclear whether the terms refer to the same or different features. Applicants have amended claims 1, 7, 13, 16, 22, 26 and 31 to change language referring to "the entity" to "the business entity". Furthermore, Applicants have amended claims 6 and 14 to replace "the entity application" and "the entity applications" with "the entity software application" and "the entity software applications", respectively. Applicants assert that these amendments further clarify the alleged indefiniteness in the claimed invention. Accordingly, Applicants request that the rejections be withdrawn.

#### **B. REJECTIONS OF CLAIMS 1, 2, 4-9 and 11-35 UNDER 35 U.S.C. §102(e)**

With regard to the 35 U.S.C. §102(e) rejection over Puri, Applicants assert that Puri does not teach each and every feature of the claimed invention. For example, with respect to currently amended claim 1, Applicants submit that Puri fails to teach, *inter alia*, inventorying a set of entity software applications that are currently used by the business entity. This amendment is evident in and supported by, *inter alia*, page 1, line 19 to page 2, line 7 and page 7, line 15. Instead, the portions of Puri cited by the Office include several references to product selection and product/options selection. However, the product selection of Puri is directed toward selection of new products and does not teach inventorying the products that are currently used by the business entity. The Office equates collecting product needs of a customer with inventorying the customer's current software status. However, an indication that a customer needs a particular product, for example a database application, does not indicate whether one or more applications are presently being used, only that one is needed. To this extent, nowhere does Puri expressly teach inventorying a business entity's currently used entity software applications. In contrast, the

claimed invention includes "...inventorying a set of entity software applications that are currently used by the business entity." Claim 1. As such, the inventorying of the claimed invention is not merely directed toward selection of new products as is the product selection of Puri, but instead inventories a set of entity software applications that are *currently used* by the business entity. Thus, the product selection of Puri does not teach the inventorying of the claimed invention. Accordingly, Applicants request that the Office's rejection be withdrawn.

With respect to dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicants submit that all dependant claims are allowable based on their own distinct features. Since Puri does not teach each and every feature of the claimed invention, Applicants respectfully request withdrawal of these rejections based under 35 U.S.C. §102(c).

#### **B. REJECTIONS OF CLAIMS 3 and 10 UNDER 35 U.S.C. §103(a)**

With regard to the 35 U.S.C. §103(a) rejection over Puri, Applicants assert that Puri fails to teach or suggest each and every feature of the claimed invention. Applicants assert that the Office's factual assertion, which amounts to Official Notice, is not properly based upon common knowledge. For example, Applicants assert that the step of assigning a value for each possible response to the set of questions is not obvious to one skilled in the art as asserted by the Office. Accordingly, Applicants respectfully request that the Office support the finding with references that show these features.

With respect to the Office's other arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from

which claims 3 and 10 depend. Furthermore, Applicants submit that claims 3 and 10 are allowable based on their own distinct features. Since Puri does not teach each and every feature of the claimed invention, Applicants respectfully submit that Puri does not render claims 3 and 10 obvious, and request withdrawal of these rejections based under 35 U.S.C. §103(a).

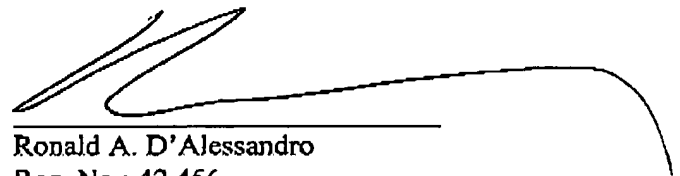
#### IV. CONCLUSION

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

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In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,



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